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6	UNITED STATES DISTRICT COURT				
7	DISTRICT OF ARIZONA				
8	United States of America,				
9	Plaintiff,		MAGISTI	RATE NO. 08-7465M	
10	V.		Order Granti	ing Parties' Joint Motion end Time to Indict	
11	Daniel Aceves-Suarez,	to Exte	ena Time to Indict		
12	Defendant.				
13	HAVING considered the parties! Joint Motion for Extension of Time to Indict and acc				
14	HAVING considered the parties' Joint Motion for Extension of Time to Indict and good cause having been shown;				
<ul><li>15</li><li>16</li></ul>	THE COURT makes the following findings:				
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18		The defendant earnestly wishes to consider the plea offer extended by the			
19	government;				
20	3. The defendant wishes to investi government's plea offer, which is		s made pursuant to	o a 'fast track' early dispositior	
21	Prosecuting Remed	lies and Tools	Against the Expl	te pursuant to § 401(m) of the loitation of Children Today Ac	
22	of 2003 (PROTECT Act), Pub. L. 108-21, 117 Stat. 650 (Apr. 30, 2003);  The government's place offer if accented by the defendant and then the court				
23	4. The government's plea offer, if accepted by the defendant and then the court would likely reduce defendant's exposure to a significant term of imprisonment				
24	5. If the defendant does not timely accept the plea offer prior to indictment, the government will withdraw said plea offer and any subsequent plea offer after				
25	indictment would likely be less advantageous to the defendant;			the defendant;	
26	6. Failure to extend time for indictment in this instance would thus operate to bat defendant from reviewing the government's plea offer in a meaningful way prior				
27	to indictment;	<i>U</i> - 8-	r r	2	
28					
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- 7. Granting an extension of time for indictment in this case is likely to result in the case being resolved earlier, which would further the public's interest in the timely and efficient administration of justice; and
- 8. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

The Court therefore concludes that the ends of justice are best served by granting an extension of time to present the case to the grand jury and in excluding a period of thirty (30) days under the Speedy Trial Act. In making this determination, the Court has particularly taken into account that the failure to grant the Defendant's request "would deny counsel for the defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(8)(B)(iv).

**IT IS HEREBY ORDERED** that the parties' Joint Motion for Extension of Time to Indict requesting an extension of thirty (30) days within which the government may seek to indict defendant, is hereby granted.

**IT IS FURTHER ORDERED** that pursuant to the Speedy Trial Act, 18 U.S.C.§3161, the Government shall have an extension of thirty (30) days to file a timely Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the Government may present the case to the grand jury.

**IT IS FURTHER ORDERED** that defense counsel shall use proper capitalization in all future captions as mandated by LRCrim 12.1 and LRCiv 7.1(a)(3).

DATED this 15th day of December, 2008.

Lawrence O. Anderson United States Magistrate Judge